G. R. S. IX-5]

Previous references.

1929.

(Nuz)

File No. 707

Serial Nos 1–6

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for Sept-21

SUBJECT.

Appointment of Pol. Guard to the Masjid at Kirkee

Kasim Saheb, Ibrahim Saib of Hare

1883 97. 10. 21

declining to interfere with the orders passed by the A. C.

WD 1000—GPB—16,926—23-7-21

G. R. S. III—1] 1919.

GENERAL AND REVENUE SECRETARIAT.

(Mizpur)

NOTES.

File No. 1117

File Heading.

Appointment of a Peish Imam & the
Jalsa in the masjid at Hanhan.

From
Kasim Sahib & Hakim Sa

No. Petition Dated 1-5 [illegible] Received [illegible]

Diary No. 2458	Enclos. 1	Spare Copies. —	Serial No. 1

Brief Abstract of Letter.

Appeal against the Dy. Commrs order directing the appointment of Syed Imamuddin Sahib as Peish Imam of the said masjid. Also prays for a stay order pending disposal of the appeal by [illegible]

Notes and Orders.

Filed both petitions

1) The appeal petition is duly stamped. The Dy. Comrs order appealed against is dated 15-5-20, and the appeal petition was received in the Secrett on 1-6-1920. It is in time.

2) The Dy. Commrs order states that under

Notes—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat.

245 4

File No. 707 of 191 8

Serial No.

The Sanad granted by the Makomedan Rulers of old, the family known as "Sunnad Jama Attu" constructed the Masjid and the "mulla" duties therein were entrusted to the opponent Burahanuddin's family, that the Verify authorizes the mulla to conduct all services in the Masjid, and has appointed the opponent to do the duties of Monzin, Pesh Imam and Muthavalli, and defined his duties therein.

2) Against this order, Ibrahim Sah & another has appealed to Govt. The grounds for appeal are summarized in the petition. An ad-interim order to stay execution of the Dy. Comm's. order appealed against, is also prayed for. Orders -

Ms. 6.20 Rs. [illegible] 15-6-20

Fin 20

Secretary) 15-6-20

Second Member. VJ 15/6/20

9.7.0.

NOTE—Contn. sheet.

S. E. S. III-2]

General and Revenue Secretariat.

1437

File No. 707 of 191 .

Serial No.

75-71-35

16-6-20.

5) Records with report may be called for. Case for issue of stay order has not been made out.

Put
17.6.20

AMT 17-6-20.

D/I Submitted
No 15/E/1 c. 86 18/6/20

5) Done-
AMT 19-6-20.

2 2. D. C. Chittaldrug.
No. 4533 dy. 30.8.20
Ref his letter for reporting records.
Forwarded a Dy Comrs Chitaldrug D.O.
letter No. 6 & 7 1 dy 21.
Refers the circumstances under
which the respondent Syed Khasim and
grand-son of the previous Khanandaree
Dargah Sahib's uncle - has applied
the mutta of the Dargah managed
at Hanhara.
The Dy. Comrs letter explains
the facts of the case.
To may the appeal be
posted for hearing?
Submitted for orders.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. | of 19

Serial No.

12 Note the substance of the order of the Chetty and of the appeal of above— sd 17/1/24

ar 17.1.24

13 The Chetty & 3rd June 1910 state that the revised title-deed received from the Quazi office may be sent to Bawamudin saibo who may be asked to keep the matter in a proper condition, and that Bawamudin saibo may be congratulated on the improvement.

14 The order appealed against states that the respondent Syed Bawamudin is the mulla or head Imam, mutwali or manager of the Hajiahin masjid, which is a private institution, that the title deeds are in the custody of the Malabar Mohammedan Community, that the new party leaders are "about half" Moplah descendants of Arab settlers, while mulla is apparently Arabic for Imam, Ramzan and Bakr Id, and that the head is Egyptian, and such that petition we ap-

NOTE—Contn. sheet.

G. R., S. III-2]

General and Revenue Secretariat.

Mary File No. 707 of 19 19.

Serial No.

may allow to name date on Govt's magic under the provisions of the above rules for the Police to build for their Police, if they insist on their own terms.

Submitted for orders

Sd/-
27-1-21

Sd/-
31/1/21

May the appeal be posted to some suitable date in March next?

Chief Secretary 11/3/21

3962.54
4.2.21

The D Cs report is silent on the point why the G.O of 1910 was not given effect to. Information on this point may be obtained. Meanwhile existing arrangements may be continued

Sd/-
18.2.21.

17
Dist Collector
Sd/-
24/2/21

Sd/-
18/2/21

Sd/-
24/2/21

Sd/-
28/4/3/21

Sd/-
3

NOTE—Contn sheet.

G. R. S. III-21

General and Revenue Secretariat.

File No. 707 of 19 18.

Serial No.	
4	To, D.C Chittagong [illegible]
5	From, the Dy. Com^r, Chittagong Dist^t Letter no. 6 Dt 10. 9. 21. Reports that Syed Buramdin is enjoying the land and has got the revised title-deed, and that it is not possible to say at this distance of time why Buramdin was not allowed to manage the affairs of the estate as per Dy. Comm^r's order Dt 9. 6. 10, when the wakf land was given to his possession. [illegible] vide-para 16 supra 15. 84 15-9-21 (Secd Member) 21/9/21
	1988-107 22.9.21 No grounds to reconsider the order of Govt. Dt 10. 3. 10, nor given effect to, have been made out. The appeal is rejected. Rejd 22-9-21

NOTE—Contn sheet.

R. S. III-2]

General and Revenue Secretariat.

File No. 707 of 1921.

Serial No.	
	Draft cable to Kabul No 26.9.21 Sd 26.9.21 Fair draft 26/9/21 Kabul with a few days- No 27-9-21. Sd 27.9.21. Second Member 27/9/21
2127-246 30.9.21.	Copy approved Sec'y 2.10.21. 2/10/21
6	To, Resident at Peshawar No. 1884 dated 3.10.21 Reference your telegram No. 1884 dated 2nd October 1921

S.C 67 20-21

Petn. Regn. no. 1440
1/6/20

DIARY No. 2458

BEFORE THE GOVERNMENT OF HIS HIGHNESS
The Maharaja of Mysore.

Miscellaneous Appeal No. of 1919-1920. 707-19

Mavalli Khasim Sab, Son of Nabi Sab and Mutavalli — Ibrahim Sab, son of Abdul Rahiman Sab Resident of Harihar, Chitaldrug District. (Petitioners) Appellants

Two Rs Stamp attached. Enclosure - one Copy of Dy.C's order.

Syed Burandin Mulla resident of Harihar, Chitaldrug District. (Opponent) Respondent.

The appellant above named begs to file this appeal from the order of the Deputy Commissioner, Chitaldrug District, dated 15th May 1920 ~~here~~ passed on the application of the Opponent (respondent) declaring that that he alone is entitled for the conduct of Namaj and other services in the Nadavalpetta Jumma Muszid at Harihar.

Muzrai Secy. BO 18. 1620.

1-6-20

The said order was passed without giving an opportunity to the appellant to represent his case as required by the rules and ought therefore to be quashed.

2. The Muszid in question is a Muzrai Institution being endowed with Inam lands as admitted by the Deputy Commissioner. It is held by the Deputy Commissioner that the respondent is the sole Manager of the Institution and is the only person entitled to conduct the Namaz and other services in the muszid.

3. Baranudin is not a native of Harihar, nor a member of the Khazi family. The Inam lands endowed to the Institution were in the name of Ismoiya as the Manager of the institution. As he died issueless and there was no necessity of registering these Inam lands in the name of anybody, Sanad originally granted was cancelled as recommended by the Deputy Commissioner

and a fresh title was issued in the na me of the institution itself in 1810. On the death of Issomya, the managership was discontinued but Burauddin was allowed to enjoy as a temporary measure the Inam lands granted to the institution for the support of the muszid and see the object of the grant is duly complied with until a manager is appointed permanently. Buranoddin is only a temporary manager to manage the Inam lands and not for conducting the internal religious services which are generally to be conducted every day by the Pesh Imam

The Muszid in question is under the Management of Jammat (Mahomedan inhabitants of Harihar) in general for a long time and not for the exclusive use of certain particular people and as such lots of institution improvements to the extent of Rs. 2000/- or more have been recently sunk and a decent compound wall has been raised The Muszid had not been benefitted for the last several years by the Inam Lands granted.

As the Muszid in question is a Muzrai Institution it is n thing but right that the business of the institution should be donducted under section 15 of the Mysore Muzrai Regulation of 1913, by the Naxarian-e-Owkoffs (Dharmadarsis).

Now the important point for decision is as to who should conduct the namaz. The Deputy Commissioner has ordered that all functions movzin, Pesh Imam Mutavalli etc., should be done by Buranuddin the Manager himself and none else. It is laid down in the Muzrai Manual (Page 217) as required by Sastras that independent persons should be appointed to the Post of Pesh Imam and Movzin. The Pesh Imam is the only persons entitled to conduct the namaj as per sastras and also as per Muzrai Manual. Baruaddin is nei ther a Khazi nor a Pesh Imam but merely a manager for the time tu support

the muszid being for the time and is not entitled to conduct namaz as ordered by the Deputy Commissioner.

Appellants therefore pray that the order of the Deputy Commissioner may kindly be set aside.

Appellants further pray that the Execution of the order of the Deputy Commissioner may kin dy be ordered to be stayed pending the disposal of this appeal and an immediate direction to this effect may kindly be ordered to issue to the Deputy Commissioner.

It is requested that orders may kindly be issued forthwith that the Mahamadan inhabitants may not be prevented from performing namaz and other services in the manner now in force.

The copy of the order appealed against is herein enclosed.

-:oOo:-

31 - 5 - 2.

2085

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

OFFICIAL MEMORANDUM.

No. Mm. 303-78-2

The accompanying Petition Registered No. 303 dated 30.5.20 received at the General and Revenue Secretariat from As Sessions Judge Malnad Sub Div. Hoshka appealing against the Order of Personal Enquiry Officer Syed Ameer Ahmed in Criminal Appeal No. 40 of 1919 on the file of Sessions Judge Shimoga

is forwarded, together with its enclosures, to the Dy. Commissioner, Chikmagalur Dist. for ...

By order,

Secretary to Govt.

BANGALORE,
.. .. 191 .

P. T. O.

CPB—1,000—8-18

4334 ತೆ 30-6-22

ಅರ್ಜಿದಾರ್ ..... ತಾಲ್ಲೂಕು

..... ಹೋಬಳಿ

..... ಗ್ರಾಮದಲ್ಲಿರುವ

..... ಗೆ

ಇಂಡಾರ್ಸ್ ಹುಕುಂ.

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ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ.....

ಪುರ್ತು ಮಿನ ಅರ್ಜಿಯನ್ನು ..... ಬಗ್ಗೆ

.....

.....ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ.

ಬೆಂಗಳೂರು,

....191 .

By Order,

Secretary to Govt.

1439

2021

707-19.

3

34566

19

From

The Deputy Commissioner
Civil & Sessions Division

To

The Secretary to the Govt
of Mysore
Revenue Department

Dated Bangalore

Despatched 31st January 1921

Received

General No. Refusal & Revision

No.

Enclosure No. Three files

Reporting on the appeal petition of Khasim Sab and the agamat the appointment of Syed Buranuddin as Mukri of Jumma Masjid at Harihar.

A V
8/1/21

Office of the Deputy Commissioner,

Chitaldrug District.

Dated Chitaldrug, 7th January 1921.

From

C. Venkata Rao Esquire B.A.,

Deputy Commissioner,

C H I T A L D R U G.

To

T. E. Jayarama Iyer Esquire B.A.,

Secretary to the Government of Mysore,

Muzrai Department, Bangalore.

Sir,

Adverting to the official memorandum No.4533/Muz.707-19-2 dated 30th June 1920 forwarding for report the petition received from Khasim Sab and Ibrahim Sab of Harihar, appealing against my order re the appointment of Syed Buranuddin as Mulla of Jumma Masj at Harihar, I have the honor to state as follows:-

Issoomiah, Mulla of the Jumma Masjid and the manager for the time being of the inam land endowed to it presented a petition on 15th August 1906 stating that his sight and power of hearing have been affected by old age and that he could not therefore attend to any business in the Masjid and prayed that as he had no male issues his nearest relative (uncle's grandson) Buranuddin might be appointed in his place. This arrangement was objected to by some of the Mahomedans of Harihar on the ground that Issoomiah while yet alive cannot appoint his successor nor even adopt any sons under the Mahomedan law, that Buranuddin is not a native of Harihar nor a member of the Khazi family and that he holds a separate Government appointment and is therefore liable to be transferred from that place at any time. Both the parties were heard by the Deputy Amildar and the following is the summary of the enquiry held by him.

The Masjid in question was, some years back, in a locality other than the one where it now is, and when it was destroyed by the floods of the Tungabhadra, it was reconstructed on the present site by Mulla Hussain in whose name the inam land was also registered. As, he died

without male issues his daughter's son Issoomiah succeeded him and the inam land was re-registered in Issoomiah's name. Issoomiah was the undisputed manager of the institution till 1881 when factions broke out among the Mahomedans of the place. Some 20 families formed themselves into a separate section of the community marked by certain distinctions in the observance of rituals. The members of this party appointed a separate Khazi of their own and each party used to perform "Namaj" led by its own Khazi in separate parts of the same building. This gave rise to occasional quarrels between the two parties. Mr. Machia, Amildar who was in charge of the Sub Taluk passed an intermediate order in October 1906 placing the Masjid under the sole management of the appellant's party who resided very near the Masjid.

As the appellants formed only a minority and that they had no right whatever to claim the management of the Masjid in preference to Issoomiah and that Buranuddin had been doing the duties of the Khazi and virtually managing the land endowed to the Masjid in accordance with the wishes of his party of 200 families in all, a recommendation was made to Government in this office letter No.355 dated 9th March 1909 soliciting orders to the appointment of Buranuddin as Khazi and manager of the estates endowed to the Masjid in place of Issoomiah. Whereupon Government after some correspondence, in their No.2316/Muz. 454-08-4 dated 10th March 1910, ordered that the field might be registered in the name of the manager for the time being, it being left in the possession of the Mulla or the Khazi in accordance with the ~~direction~~ discretion of the Deputy Commissioner.

Vide Muz. No. 454-08

An order was issued to the Deputy Amildar in this office No.172 dated 3/9th June 1910 by the then Deputy Commissioner Mr. M. Chengiah Chetty appointing Buranuddin as the manager of the Masjid for the time being and directed that he might be put in possession of the inam land. The title deed was also got revised and issued to him. But this order was not given effect to until now and it was accordingly ordered that the same should be given effect to. Hence this appeal.

Three files of records on the subject are herewith sent for reference and return.

I have the honor to be,

S I R,

Your most obedient servant,

Deputy Commissioner,

S.V. Chitaldrug District.

G. R. S. VI—G/32]

SUBJECT.....

Reg No. of letters pld from.....

General and Revenue Secretariat

( )

, the 191 .

Date of issue 10.3.21

Signed by [illegible]

Section Jury

File No. 707-19

Serial No. 4

No. 3172 Encl three bundles of records both Orgl petn. with cheque

To

The Dy. Commr,

Chikballapur Dist,

Sir,

Adverting to your letter no. 6 Dy 19th January 1921 reporting on the petition of Khasim Sab and Ibrahim Sab of Haribar appealing against your order directing the appointment of Syed Burhanuddin as Amildar of Jumma &c

over.

Harihar, - I am directed to state that your report is silent on the point why the Lgc. no. 2316 - Mug 454-08-4 dy 10th March 1910 was not given effect to and to request that information on this point may also be furnished. (2) The record sent herewith returned for ref & re-turn

I am to state that in the meantime the existing arrangt may continue

Yours etc.
W. 4/3/21
Asstt Secretary

RG
24/2/21

List of enclosures.

Copied by

Examined by

W9375

10224/12.9.4

2.22

Mer

707-19-3

From C.Venkata Rao Esquire B.A.,
Deputy Commissioner
Chitaldrug.

To T.E.Jayarama Iyer Esq B.A.,B.L,
Secretary to Government,
Muzrai Department, Bangalore

Dated 12 SEP 1921

Despatched 9th/10 September 1921.

Received

General No. S.C.6 Rev of 20-21

No.

Enclosure No. Three Ver files. one appeal petn and one copy of Inam Supdt's letter.

Sir,

With reference to your letter No.3172/Muz 707-19-4 dated 10th March 1921 returning the appeal records re the appointment of Syed Buranuddin as Mulla of Jumma Masjid at Harihar and requesting to report why the Government order No.2316/Muz.454-08-4 dated 10th March 1910 was not given effect to, I have the honor to state that the inam land endowed to the Masjid has been registered in the name of the Manager of the Institution for the time being as per aforesaid Government order. Syed Buranuddin is enjoying the land and has got the revised title deed too. A copy of the Inam Superintendent's letter No.

4-9-4

168 dated 21st April 1910 effecting change in the tr deed is herein enclosed for reference.

It is not possible to say at this distance of time why Syed Buranuddin was not allowed to manage the affairs of the Masjid as ordered in this office No.172 dated 9th June 1910 though the inam land was given to his possession.

Three files of records bearing on the subject are herewith sent for reference and return.

I have the honor to be
S I R,
Your most obedient serva

Deputy Commissioner,
Chitaldrug District.

S.V.

Letter No.168 dated 21st April 1910 from the Superintendent of Inam Settlements in Mysore to the Deputy Commissioner, Chitaldrug District.

I have the honor to return herewith the title deed No.318 r received with your letter No.1201 dated 29th March 1910 revised by altering the name into the manager for the time being of the institution of Jumma Masjid at Harihar.

The favor of an acknowledgment is requested.

%%%%%%%%%%%%%%%%%

" C O P Y."

Deputy Commissioner,

S.V. Chitaldrug District.

Endorsement, granted to Kasim Saheb and Ibrahim Saheb of Harihar with reference to their petition registered No. 2456 dated 1st June 1920, appealing against the Deputy Commissioner's order directing, in pursuance of this office communication No. 2016/Mar. 454-Oc dated 10th March 1916, the appointment of Syed Jurandur Hulla as resd. Imam of Jumma Masjid at Harihar.

Appellant are informed that there are no reasons to interfere with the order of the Deputy Commissioner appealed against. The order is in accordance with that passed by Government on 10th March 1916 and there are no grounds to reconsider it. The appeal is therefore rejected. The enclosure is returned.

By order,

Secretary to Government,
Mudral Department.

Copy to the Deputy Commissioner, Chitaldrug District, with the vernacular records received with his letter No. 3.J.6 dated 10th September 1921.

By order,

Secretary to Government,
Mudral Department.